

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of  
Quick et al.

For: **BIOPSY DEVICE WITH NEEDLE  
SHAPED INNER CUTTER**

Serial No.: 10/642,406

Filed: August 15, 2003

Atty. Docket No.: R0367-03700

) Examiner: Not yet assigned

)

) Group Art Unit: 3762

)

)

)

)

)

)

)

)

**INFORMATION**

**DISCLOSURE STATEMENT**

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8**

I hereby certify that this paper is being deposited in the United States mail as first class mail with postage prepaid, and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 2/11/2004 in San Francisco, CA.

By: 

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner. Many of the references were cited in copending U.S. application Serial No. 10/374,915, filed August 15, 2003 and are indicated as such on the attached.

There is no fee due with this communication; however, the Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-03700.

Respectfully submitted,

By: 

Edward J. Lynch

Reg. No. 24,422

Attorney for Applicants

DUANE MORRIS LLP  
One Market, Spear Tower, Ste. 2000  
San Francisco, CA 94105  
Telephone: (415) 371-2200  
Facsimile: (415) 371-2201  
Direct Dial: (415) 371-2267

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> UNDER 37 CFR §1.56, §1.97, and §1.98 <b>PTO-1449 FORM</b>  SHEET 1 OF 4	ATTORNEY DOCKET NO.:	SERIAL NO.:
	R0367-03700	10/642,406
	APPLICANTS:	EXAMINER:
	Quick et al.	Not yet assigned
	FILING DATE:	GROUP ART UNIT:
	August 15, 2003	3762

**U.S. PATENT DOCUMENTS**

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	A1	Re. 0,033,925	5/1992	Bales et al.		
	*A2	Re. 0,034,056	9/1992	Lindgren et al.		
	A3	2,032,860	3/1936	Wappler et al.		
	A4	3,805,791	4/1974	Seuberth et al.		
	A5	3,847,153	11/1974	Weissman		
	A6	3,910,279	10/1975	Okada et al.		
	A7	3,955,578	5/1976	Chamness et al.		
	*A8	4,007,732	2/1997	Kvavle et al.		
	A9	4,202,338	5/1980	Bitroff		
	*A10	4,243,048	1 /1981	Griffin		
	*A11	4,294,254	10/1981	Chamness		
	*A12	4,311,143	1 /1982	Komiya		
	*A13	4,362,160	12/1982	Hiltebrandt		
	*A14	4,503,855	3/1985	Maslanka		
	A15	4,565,200	1/1986	Cosman		
	*A16	4,576,162	3/1986	McCorkle		
	A17	4,638,802	1/1987	Okada		
	*A18	4,643,187	2/1987	Okada		
	*A19	4,682,606	7/1987	DeCaprio		
	A20	4,718,419	1/1988	Okada		
	A21	4,724,836	2/1988	Okada		
	*A22	4,926,858	5/1990	Gifford, III et al.		
	*A23	5,007,908	4/1991	Rydell		
	*A24	5,041,124	8/1991	Kensey		
	*A25	5,047,027	9/1991	Rydell		
	*A26	5,064,424	11/1991	Bitrolf		
	*A27	5,080,660	1/1992	Buelna		
	*A28	5,133,359	7/1992	Kedem		
	*A29	5,133,360	7/1992	Spears		

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> UNDER 37 CFR §1.56, §1.97, and §1.98 <b>PTO-1449 FORM</b>  SHEET 2 OF 4	ATTORNEY DOCKET NO.:  R0367-03700	SERIAL NO.:  10/642,406
	APPLICANTS:  Quick et al.	EXAMINER:  Not yet assigned
	FILING DATE:  August 15, 2003	GROUP ART UNIT:  3762

**U.S. PATENT DOCUMENTS**

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	*A30	5,158,561	10/1992	Rydell et al.		
	*A31	5,217,458	6/1993	Parins		
	A32	5,324,288	6/1994	Billings et al.		
	*A33	5,335,671	8/1994	Clement		
	A34	5,344,420	9/1994	Hilal et al.		
	A35	5,374,188	12/1994	Frank et al.		
	A36	5,380,321	12/1994	Kline		
	A37	5,395,312	3/1995	Desai		
	A38	5,415,656	5/1995	Tihon et al.		
	A39	5,417,687	5/1995	Nardella et al.		
	A40	5,423,809	6/1995	Klicek		
	A41	5,437,665	8/1995	Munro		
	A42	5,441,498	8/1995	Perkins		
	*A43	5,441,503	8/1995	Considine et al.		
	*A44	5,470,308	11/1995	Edwards et al.		
	*A45	5,477,862	12/1995	Haga		
	*A46	5,488,958	2/1996	Topel et al.		
	A47	5,501,654	3/1996	Failla et al.		
	*A48	5,507,743	4/1996	Edwards et al.		
	A49	5,526,822	6/1996	Burbank et al.		
	*A50	5,527,331	6/1996	Kresch et al.		
	*A51	5,538,010	7/1996	Darr et al.		
	A52	5,599,347	2/1997	Hilal et al.		
	*A53	5,607,389	3/1997	Edwards et al.		
	*A54	5,649,547	7/1997	Ritchart et al.		
	A55	5,653,718	8/1997	Yoon		
	A56	5,674,184	10/1997	Hassler, Jr.		
	A57	5,676,663	10/1997	Kim		
	*A58	5,687,739	11/1997	McPherson et al.		

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> UNDER 37 CFR §1.56, §1.97, and §1.98 <b>PTO-1449 FORM</b>  SHEET 3 OF 4	ATTORNEY DOCKET NO.:  R0367-03700	SERIAL NO.:  10/642,406
	APPLICANTS:  Quick et al.	EXAMINER:  Not yet assigned
	FILING DATE:  August 15, 2003	GROUP ART UNIT:  3762

**U.S. PATENT DOCUMENTS**

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	*A59	5,769,086	6/1998	Richart et al.		
	A60	5,772,660	6/1998	Young et al.		
	*A61	5,775,333	7/1998	Burbank et al.		
	*A62	5,782,775	7/1998	Milliman et al.		
	A63	5,794,626	8/1998	Kieturakis		
	*A64	5,797,907	8/1998	Clement		
	*A65	5,810,806	9/1998	Ritchart et al.		
	A66	5,814,044	9/1998	Hooven		
	*A67	5,846,513	12/1998	Carrol et al.		
	A68	5,848,978	12/1998	Cecchi		
	A69	5,857,981	1 /1999	Bucalo et al.		
	A70	5,857,982	1/1999	Milliman et al.		
	*A71	5,876,340	3/1999	Tu et al.		
	*A72	5,882,316	3/1999	Chu et al.		
	*A73	5,902,272	5/1999	Eggers et al.		
	*A74	5,913,857	6/199	Ritchart et al.		
	*A75	5,925,044	7/1999	Hofmann et al.		
	A76	5,928,164	7/1999	Burbank et al.		
	*A77	5,947,964	9/1999	Eggers et al.		
	A78	5,984,919	11/1999	Hilal et al.		
	A79	6,036,681	3/2000	Hooven		
	A80	6,050,955	4/2000	Bryan et al.		
	*A81	6,056,700	9/2000	Burbank et al.		
	*A82	6,120,462	9/2000	Hibner et al.		
	*A83	6,142,955	1/2000	Farascioni et al.		
	*A84	6,261,241	7/2001	Burbank et al.		
	*A85	6,277,083	8/2001	Eggers et al.		
	A86	6,312,429	11/2001	Lubock et al.		

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> UNDER 37 CFR §1.56, §1.97, and §1.98 <b>PTO-1449 FORM</b>  SHEET 4 OF 4	ATTORNEY DOCKET NO.:	SERIAL NO.:
	R0367-03700	10/642,406
	APPLICANTS:	EXAMINER:
	Quick et al.	Not yet assigned
	FILING DATE:	GROUP ART UNIT:
	August 15, 2003	3762

### U.S. PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	A87	6,331,166	12/2001	Burbank et al.		
	A88	6,344,026	2/2002	Burbank et al.		
	A89	US 2001/0002250	5/2001	Burbank et al.		

### FOREIGN PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	COUNTRY	TRANSLATION (YES/NO)	
	*B1	0 255 123	2/1988	EPO		
	*B2	0 601 709	6/1994	EPO		
	*B3	0 769 281	4/1997	EPO		
	*B4	98/08441	3/1998	WO		
	*B5	WO 0 858 774 A2	8/1998	EPO		
	*B6	0 919 190	8/1998	EPO		
	*B7	WO 99 44506 A	9/1999	PCT		
	*B8	WO 00/12009	3/2000	WIPO		
	*B9	WO 00 16697	3/2000	PCT		

### OTHER DOCUMENTS

† EX'R INITIAL	*REF. #	Document Description (including Author, Title, Date, Pertinent Pages, Etc.)
	*C1	Timothy L. Micklos, Purcutaneous Biopsy Techniques, <i>Manual of Oncologic Therapeutics</i> (1989/1990), pp. 39-42.
	*C2	Whitman et al., Coaxial Core Needle Biopsy Under Mammographic Guidance: Indications and Applications, <i>AJR</i> :171, Jul. 1998, pp. 67-70.

EXAMINER'S SIGNATURE	DATE CONSIDERED

† EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609.  
 Line through citation if not in conformance and not considered.  
 Include copy of this form in next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. 1.98(d).